



Protecting Ideas Since 1884

RECEIVED  
CENTRAL FAX CENTER  
JUN 12 2008

## FAX Cover Sheet

1100 Superior Avenue, Seventh Floor  
Cleveland, Ohio 44114-2579

Telephone: 216.861.5582, Fax: 216.241.1666  
[www.faysharpe.com](http://www.faysharpe.com)

|          |   |                                       |
|----------|---|---------------------------------------|
| Date:    | June 12, 2008   | Total Pages: 16 including cover sheet |
| To:      | USPTO   |                                       |
| Attn.:   |   |                                       |
| Fax No.: | 571-273-8300  |                                       |
| From:    | Brian E. Turung                                       |                                       |
| Re:      | SER. NO. 10/788,770 - (OUR DOCKET NO. SPIN 2 13195-1) |                                       |

## COMMENTS:

The documents accompanying this facsimile transmission include information from the firm of Fay Sharpe LLP that might be legally privileged and/or confidential. The information is intended for the use of only the individual or entity named on this cover sheet. If you are not the intended recipient, any disclosure, copying, or distribution of these documents, or the taking of any action based on the contents of this transmission, is prohibited. If you have received this transmission in error, these documents should be returned to this firm as soon as possible, and we ask that you notify us immediately by telephone so we can arrange for their return to us without cost to you.

RECEIVED  
CENTRAL FAX CENTER

JUN 12 2008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Robert S. Biscup  
For : MOLDED SURGICAL IMPLANT  
Serial No. : 10/788,770  
Filing Date : February 27, 2004  
Examiner : Kidest Bahta  
Group Art Unit : 2125  
Confirmation No. : 8517  
Our Docket No. : SPIN 2 13195-1

**RESUBMISSION OF AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant has viewed the PAIR System and has noted that the Amendment filed on February 13, 2008 has not been entered by the Patent Office. Applicant E-filed this Amendment and received an EFS-ID number of 2851786 and a Confirmation No. of 8517. Enclosed herein is the Acknowledged Receipt for the Amendment along with a copy of the submitted Amendment. Applicant submits that the Amendment that was E-filed on February 13, 2008 was timely filed in response to the Office Action dated November 16, 2007. Applicant requests entry of the Amendment and consideration of the Amendment by the Examiner.

RECEIVED  
CENTRAL FAX CENTER

Respectfully submitted,

JUN 12 2008

FAY SHARPE LLP

By:

BRIAN E. TURUNG  
Registration No. 35,394  
1100 Superior Avenue, 7<sup>th</sup> Floor  
Cleveland, Ohio 44114-2579  
Telephone: (216) 861-5582  
Facsimile: (216) 241-1666

Page 2 of 2

**Acknowledgement Receipt**

The USPTO has received your submission at **10:41:41 Eastern Time on 13-FEB-2008**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

**eFiled Application Information**

|                      |                         |
|----------------------|-------------------------|
| EFS ID               | 2851786                 |
| Application Number   | 10788770                |
| Confirmation Number  | 8517                    |
| Title                | Molded surgical implant |
| First Named Inventor | Robert S. Biscup        |

|   |   |
|---|---|
| Customer Number or Correspondence Address | BRIAN E. TURUNG<br>FAY, SHARPE, FAGAN, MINNICH<br>& McKEE<br>Seventh Floor<br>1100 Superior Avenue<br>Cleveland<br>OH 44114-2579 US<br>2168615582 |
|---|---|

|                        |                                    |
|------------------------|------------------------------------|
| Filed By               | Brian Erkin Turung/Adeline Machado |
| Attorney Docket Number | SPIN 2 13195-1                     |
| Filing Date            | 27-FEB-2004                        |
| Receipt Date           | 13-FEB-2008                        |
| Application Type       | Utility under 35 USC 111(a)        |

**Application Details**

| Submitted Files  | Page Count | Document Description                  | File Size     | Warnings |
|------------------|------------|---------------------------------------|---------------|----------|
| SPIN213195-1.pdf | 18         | Amendment - After Non-Final Rejection | 1225824 bytes | ◆ PASS   |

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the

application.

*If you need help:*

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.
- Send general questions about USPTO programs to the USPTO Contact Center (UCC).
- If you experience technical difficulties or problems with this application, please report them via e-mail to Electronic Business Support or call 1 800-786-9199.